

UTAH COUNTIES INDEMNITY POOL

BOARD OF TRUSTEES MEETING

Thursday, December 19, 2013 12:30 p.m.

UCIP Offices, 10980 S. Jordan Gateway, South Jordan, UT

AGENDA

12:00	Lunch Provided	
12:30	Call to Order	Bruce Adams
	Recess for Public Hearing on 2014 UCIP Budget	Bruce Adams
	Reconvene	

ITEM	ACTION	
1	Review/Excuse Board Members Absent	Bruce Adams
2	Review/Approve 2014 UCIP Budget	Bruce Adams
3	Review/Approve November 14, 2013 Meeting Minutes	Karla Johnson
4	Ratification and Approval of Payments and Credit Card Transactions	Karla Johnson
5	Review/Appoint Member(s) of the Law Enforcement Committee	Alden Orme
6	Review/Appoint Member(s) of the Litigation Management Committee	David Blackwell
7	Review/Appoint Member(s) of the Personnel Committee	Brad Dee
8	Elect 2014 Officers of the Board	Bruce Adams
9	Set Date, Time and Place of Regular Meetings for 2014	Sonya White
10	Review/Approve Governance Documents	Johnnie Miller
11	Review/Approve Conflict of Interest Affirmation	Johnnie Miller
12	Set Date and Time for Closed Meeting to Discuss Character, Professional Competence, Physical/Mental Health of an Individual	Bruce Adams
13	Action on Personnel Matters	Bruce Adams
14	Set Date and Time for Closed Meeting to Discuss Pending or Reasonably Imminent Litigation	Bruce Adams
15	Action on Litigation Matters	David Blackwell

INFORMATION

16	Board Calendar Items	Sonya White
17	Chief Executive Officer's Report	Johnnie Miller
18	Other Business	Bruce Adams

Electronic Meeting Notice: 888-447-7153, Participant Passcode: 2261240

PO Box 95730, South Jordan, UT 84095-0730
Phone (801)565-8500 ☎ Fax (801)568-0495 ☎ ucip.utah.gov

Entity: Utah Counties Indemnity Pool

Public Body: Board of Trustees

Subject:	Administrative Services
Notice Title:	Board of Trustees Meeting
Meeting Location:	10980 S. Jordan Gateway South Jordan 84095
Notice Date & Time:	December 19, 2013 12:30 PM - 3:00 PM
Description/Agenda:	<p>Call to Order</p> <p>Recess for Public Hearing on 2014 UCIP Budget</p> <p>Reconvene</p> <p>Review/Excuse Board Members Absent</p> <p>Review/Approve 2014 UCIP Budget</p> <p>Review/Approve November 14, 2013 Meeting Minutes</p> <p>Ratification and Approval of Payments and Credit Card Transactions</p> <p>Review/Appoint Member(s) of the Law Enforcement Committee</p> <p>Review/Appoint Member(s) of the Litigation Management Committee</p> <p>Review/Appoint Member(s) of the Personnel Committee</p> <p>Elect 2014 Officers of the Board</p> <p>Set Date, Time and Place of Regular Meetings for 2014</p> <p>Review/Approve Governance Documents</p> <p>Review/Approve Conflict of Interest Affirmation</p> <p>Set Date and Time for Closed Meeting to Discuss Character, Professional Competence, Physical/Mental Health of an Individual</p> <p>Action on Personnel Matters</p> <p>Set Date and Time for Closed Meeting to Discuss Pending or Reasonably Imminent Litigation</p> <p>Action on Litigation Matters</p> <p>Board Calendar Items</p> <p>Chief Executive Officer's Report</p> <p>Other Business</p>

Notice of Special Accommodations:

In compliance with the Americans with Disabilities Act, individuals needing special accommodations (including auxiliary communicative aids and services) during this meeting should notify Sonya White at the Utah Counties Indemnity Pool, PO Box 95730, South Jordan, UT 84095, or call 801-307-2113, at least three days prior to the meeting.

Notice of Electronic or telephone participation:

Any Member of the Utah Counties Indemnity Pool Board of Trustees may participate telephonically.

Other information:

Contact Information:

Sonya White
801-565-8500
sonya@ucip.utah.gov

Posted on:

December 18, 2013 08:45 AM

Last edited on:

December 18, 2013 08:45 AM

Printed from Utah's Public Notice Website (<http://pmn.utah.gov/>)

4770 S. 5600 W.
P.O. BOX 704005
WEST VALLEY CITY, UTAH 84170
FED.TAX I.D.# 87-0217663
801-204-6910

The Salt Lake Tribune

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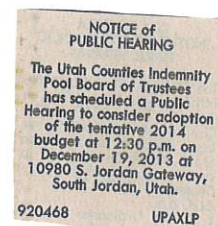
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PROOF OF PUBLICATION

CUSTOMER'S COPY

CUSTOMER NAME AND ADDRESS	ACCOUNT NUMBER	DATE
UTAH COUNTIES INDEMNITY POOL, PO BOX 95730 SOUTH JORDAN UT 84095	9001366989	11/14/2013

ACCOUNT NAME			
UTAH COUNTIES INDEMNITY POOL,			
TELEPHONE		ADORDER# / INVOICE NUMBER	
8015658500		0000920468 /	
SCHEDULE			
Start 11/14/2013		End 11/14/2013	
CUST. REF. NO.			
Board PH 12/19			
CAPTION			
NOTICE of PUBLIC HEARING The Utah Counties Indemnity Pool Board of Trustees has sche			
SIZE			
14 Lines		1.00 COLUMN	
TIMES		RATE	
3			
MISC. CHARGES		AD CHARGES	
TOTAL COST			
22.50			



AFFIDAVIT OF PUBLICATION

AS NEWSPAPER AGENCY COMPANY, LLC dba MEDIAONE OF UTAH LEGAL BOOKER, I CERTIFY THAT THE ATTACHED ADVERTISEMENT OF **NOTICE of PUBLIC HEARING The Utah Counties Indemnity Pool Board of Trustees has scheduled a Public Hearing to consider adoption of the tentative 2014 budget** FOR **UTAH COUNTIES INDEMNITY POOL**, WAS PUBLISHED BY THE NEWSPAPER AGENCY COMPANY, LLC dba MEDIAONE OF UTAH, AGENT FOR THE SALT LAKE TRIBUNE AND DESERET NEWS, DAILY NEWSPAPERS PRINTED IN THE ENGLISH LANGUAGE WITH GENERAL CIRCULATION IN UTAH, AND PUBLISHED IN SALT LAKE CITY, SALT LAKE COUNTY IN THE STATE OF UTAH. NOTICE IS ALSO POSTED ON UTAHLEGALS.COM ON THE SAME DAY AS THE FIRST NEWSPAPER PUBLICATION DATE AND REMAINS ON UTAHLEGALS.COM INDEFINITELY. COMPLIES WITH UTAH DIGITAL SIGNATURE ACT UTAH CODE 46-2-101; 46-3-104.

PUBLISHED ON Start 11/14/2013 End 11/14/2013

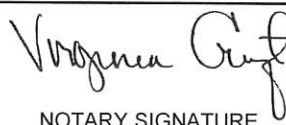
SIGNATURE 

DATE 11/14/2013

THIS IS NOT A STATEMENT BUT A "PROOF OF PUBLICATION"
PLEASE PAY FROM BILLING STATEMENT



VIRGINIA CRAFT
Notary Public, State of Utah
Commission# 581469
My Commission Expires
January 12, 2014


NOTARY SIGNATURE

Sonya White

To: 'naclegal@mediaoneutah.com'
Subject: Public Hearing Notice

Please publish the following public notice for one day in the Salt Lake Tribune:

The Utah Counties Indemnity Pool Board of Trustees has scheduled a Public Hearing to consider adoption of the tentative 2014 budget at 12:30 p.m. on December 19, 2013 at 10980 S. Jordan Gateway, South Jordan, Utah.

Let me know if you have any questions and send me an invoice.

Thank you,

Sonya White
Chief Financial Officer
Utah Counties Indemnity Pool
PO Box 95730
South Jordan, UT 84095-0730
801-307-2113 *d*
801-568-0495 *f*
801-558-8060 *c*
ucip.utah.gov



BOARD OF TRUSTEES' MEETING MINUTES

December 19, 2013, 12:30 p.m.

Utah Counties Indemnity Pool Offices
10980 S. Jordan Gateway, South Jordan, UT

BOARD MEMBERS PRESENT

Bruce Adams, *President*, San Juan County Commissioner
David Blackwell, Emery County Attorney
Bret Millburn, Davis County Commissioner
Alden Orme, Juab County Sheriff
Seth Oveson, Carbon County Clerk/Auditor
Mike Wilkins, Uintah County Clerk/Auditor

BOARD MEMBERS TELEPHONICALLY

Jim Eardley, *Vice President*, Washington County Commissioner
Alma Adams, Iron County Commissioner
Bill Cox, Rich County Commissioner
Kerry Gibson, Weber County Commissioner
Karla Johnson, Kane County Clerk/Auditor

BOARD MEMBERS ABSENT

Brad Dee, Weber County Human Resources Director
Jerry Hurst, Tooele County Commissioner

OTHERS PRESENT

Johnnie Miller, UCIP Chief Executive Officer
Sonya White, UCIP Chief Financial Officer

Call to Order

Bruce Adams called this meeting, of the Utah Counties Indemnity Pool's Board of Trustees, to order at 12:30 p.m. on December 19, 2013 and welcomed those in attendance.

Recess for Public Hearing on 2014 UCIP Budget

Jim Eardley made a motion for the Board of Trustees to recess at 12:30 p.m. on December 19, 2013 for a scheduled Public Hearing to review the Utah Counties Indemnity Pool's 2014 Budget (see attachment number one). Bret Millburn seconded the motion, which passed unanimously. Present at the public hearing were: Alma Adams, Bruce Adams, David Blackwell, Bill Cox, Jim Eardley, Kerry Gibson, Karla Johnson, Bret Millburn, Alden Orme, Seth Oveson and Mike Wilkins. Also present were: Johnnie Miller and Sonya White.

Jim Eardley made a motion to close the public hearing and reconvene the Board of Trustees meeting at 12:35 p.m. on December 19, 2013. Bret Millburn seconded the motion, which passed unanimously.

Review/Excuse Board Members Absent

Mike Wilkins made a motion to excuse Brad Dee and Jerry Hurst from this meeting. Bret Millburn seconded the motion, which passed unanimously.

Review/Approve 2014 Budget

Jim Eardley made a motion to approve the Utah Counties Indemnity Pool's 2014 Budget as presented. Bret Millburn seconded the motion, which passed unanimously.

UTAH COUNTIES INDEMNITY POOL

PO Box 95730, South Jordan, UT 84095-0730
Phone (801)565-8500 ☎ Fax (801)568-0495 ☎ ucip.utah.gov

Review/ Approve November 14, 2013 Meeting Minutes

The minutes, of the Board of Trustees meeting held November 14, 2013, were previously sent to the Board Members for review (see attachment number two). Karla Johnson made a motion to approve the November 14, 2013 meeting minutes as written. Bret Millburn seconded the motion, which passed unanimously.

Ratification and Approval of Payments and Credit Card Transactions

The payments made, the payments to be made and the credit card transactions were reviewed by the Board (see attachment number three). Mike Wilkins made a motion to approve the payments made, the payments to be made and the credit card transactions as presented. David Blackwell seconded the motion, which passed unanimously.

Review/Appoint Member(s) of the Law Enforcement Committee

Alden Orme requested that the review and appointment of members to the Law Enforcement Committee be postponed until the January 2014 Board of Trustees Meeting.

Review/Appoint Member(s) of the Litigation Management Committee

David Blackwell requested that the review and appointment of members to the Litigation Management Committee be postponed until the January 2014 Board of Trustees Meeting.

Review/Appoint Member(s) of the Personnel Committee

In Brad Dee's absence, the review and appointment of members to the Personnel Committee was postponed until the January 2014 Board of Trustees Meeting.

Elect 2014 Officers of the Board

Mike Wilkins made a motion to elect the current officers of the Board: Bruce Adams, President; Jim Eardley, Vice President; and Karla Johnson, Secretary/Treasurer, to serve in 2014. Seth Oveson seconded the motion, which passed unanimously.

Set Date, Time and Place of Regular Meetings for 2014

Sonya White reviewed the Regular Meeting dates with the Board (see attachment number four). The Board of Trustees will meet at the UCIP offices in South Jordan on the third Thursday of each month or at a specified member county unless otherwise changed by action of the Board. Mike Wilkins made a motion to Set the Date, Time and Place of the Board of Trustees Regular Meetings for 2014 as presented with the exception of the March meeting to be held on Friday, March 21. Seth Oveson seconded the motion, which passed unanimously.

Review/Approve Governance Documents

Johnnie Miller provided the Board with proposed amendments to the Bylaws of the Sixth Amended Interlocal Agreement (see attachment number five). Recommended changes are as follows: Add Article 4.7(j). Member's obligation to designate a Risk Management Coordinator to act as the Member's primary contact with the Pool. Article 8. Withdrawal and Termination language updated pursuant to the approved changes to the Sixth Interlocal Agreement. Article 9. Involuntary Termination of Membership modified that a Member notified by the Board of impending termination can request a hearing before the Board, rather than a hearing before the membership at a membership meeting. The Member is restricted from being counted in determining a quorum and entitled to vote on the termination. Member rights from involuntary termination are the same as if the termination was voluntary. Article 15. Conflict of Interest of Defense Counsel modified to clarify that defense provided to Members by UCIP will be limited to only those attorneys listed on the UCIP Defense Attorney list as recommend by the Litigation Management Committee and approved by the Board.

Johnnie Miller provided the Board with proposed amendments to the Bylaws Coverage Addendum (see attachment number six). Recommended changes are: Use of the name, instead of a number, on Endorsements; Limits of liability for Land Subsidence claims for property damage to concur with the reinsurance limits; Limit of liability claims for Failure of Dams for bodily injury, personal injury and property damage to concur with the reinsurance limits; and Loss of Use of Data endorsement deleted to avoid conflicts with the Electronic Data Exclusion and Cyber Liability endorsements.

David Blackwell made a motion to approve the changes to the Bylaws and the Coverage Addendum, effective January 1, 2014, as presented. Bill Cox seconded the motion, which passed unanimously.

Johnnie Miller explained that the Members section of the Bylaws defines different types of entities. The language could be liberally interpreted to allow for many more entities to secure coverage with UCIP. Johnnie provided the Board with a list of entities he has identified for the Board's review and direction (see attachment number seven). The Board will review and be prepared to discuss at the next meeting.

Conflict of Interest Affirmation

Each of the Board Members was provided with a copy of Article 14. of the Bylaws, Conflict of Interest and Disclosure and a compliance (disclosure) form to sign and show, if applicable, any *receipt of gift or loan that ends to influence the discharge of official acts (over \$50), financial interest in a business affected by UCIP and use or divulge of confidential information for personal or private gain*. Any conflicts disclosed will be discussed at the next meeting of the Board.

Set Date and Time for Closed Meeting

Bret Millburn made a motion to set the date and time for a closed meeting to discuss character, professional competence, physical/mental health of an individual for December 19, 2013 at 1:25 p.m. Mike Wilkins seconded the motion, which passed unanimously. Board Members present at the closed meeting were: Bruce Adams, Alma Adams, David Blackwell, Bill Cox, Kerry Gibson, Bret Millburn, Alden Orme, Seth Oveson and Mike Wilkins. Also present was Johnnie Miller.

The regular meeting resumed at 1:45 p.m. on December 19, 2013.

Action on Personnel Matters

Mike Wilkins made a motion to strike agenda item: *Action on Personnel Matters*. Bret Millburn seconded the motion, which passed unanimously.

Set Date and Time for Closed Meeting

David Blackwell made a motion to strike agenda item: *Set Date and Time for Closed Meeting to Discuss Pending or Reasonably Imminent Litigation*. Bret Millburn seconded the motion, which passed unanimously.

Action on Litigation Matters

David Blackwell made a motion to strike agenda item: *Action on Litigation Matters*. Bret Millburn seconded the motion, which passed unanimously.

Board Calendar Items

Sonya White provided the Board with a preliminary calendar of events for 2014 along with an announcement of the AGRIP Governance Conference to be held March 9-12, 2014.

Chief Executive Officer's Report

Johnnie Miller reported on his meetings with the Workers Compensation Fund, County Reinsurance Limited, Utah Risk Management Mutual Association and Cache County. Johnnie is working to revamp UCIP's Loss Control. Western Ag Credit would like to take two additional offices in the UCIP space as of January 1, 2014, which will reduce the monthly rent payment.

Other Business

The next meeting of the Board of Trustees will be held Thursday, January 16, 2014, 12:30 p.m. at the UCIP Offices, 10980 S. Jordan Gateway, South Jordan, Utah.

Approved on this 19 day of December 2013


Karla Johnson, Secretary/Treasurer

UTAH COUNTIES INDEMNITY POOL

	Approved 2013 Budget	Proposed 2014 Budget
Revenue		
Contributions	5,085,654	4,590,929
Investment Income	105,000	105,000
Program Management Fees	3,000	3,000
Conferences	15,000	15,000
Total Income	5,208,654	4,713,929
Underwriting Expense		
Losses and Loss Adjustment Expenses	2,329,592	3,335,158
Reinsurance Expense	1,565,980	1,580,000
Total Underwriting Expenses	3,895,572	4,915,158
Administrative Expense		
Board of Trustees	40,000	40,000
Depreciation	15,000	15,000
Loss Control	50,000	45,000
Marketing	16,000	14,000
Office Operations	210,000	200,000
Professional Services	215,254	150,000
Staff	675,000	675,000
Total Administrative Expenses	1,221,254	1,139,000
Dividend Expense		
Experience	20,511	-
Equity	71,317	-
Total Dividends Expense	91,828	-
Total Operating Expense	5,208,654	6,054,158
Change in Net Position	\$ -	\$ (1,340,229)

Utah Counties Indemnity Pool
Payments
November 15 - December 19, 2013

Type	Date	Num	Name	Memo	Amount
ML Expense					
Liability Check	11/27/2013		QuickBooks Payroll Service	Created by Payroll Service on 11/22/2013	-13,425.77
Liability Check	12/12/2013		QuickBooks Payroll Service	Created by Payroll Service on 12/10/2013	-15,536.01
Check	11/30/2013			Service Charge	-67.15
Liability Check	11/22/2013	ONLINE	Utah Retirement Systems	Confirmation Number: 11223620238	-7,580.96
Liability Check	11/27/2013	ONLINE	United States Treasury	EFT ACKNOWLEDGEMENT NUMBER: 270373122104027	-4,238.62
Liability Check	11/26/2013	ONLINE	Utah State Tax Commission	Confirmation Number: 1-820-797-440	-1,719.51
Liability Check	11/27/2013	ONLINE	Nationwide Retirement Solutions	Entity: 0036786001	-1,536.71
Liability Check	12/11/2013	ONLINE	United States Treasury	EFT ACKNOWLEDGEMENT NUMBER: 270374540712140	-5,727.06
Check	11/26/2013	VISA	Wells Fargo	Account Number: 4856 2002 0893 3427	-390.94
Check	11/26/2013	VISA	Wells Fargo	Account Number: 4856 2002 0207 3675	-2,626.02
Check	11/26/2013	VISA	Wells Fargo	Account Number: 4856 2002 0207 3691	-616.45
Check	11/20/2013	6946	Carbon County	2013 MBA Policy Cancellation Refund (3/3-8/12/13)	-2,480.00
Check	11/20/2013	6947	Duchesne County	2013 Landfill Policy Cancellation Refund	-12.00
Check	11/20/2013	6948	Uintah County	2013 MBA Crime Policy Cancellation 7/01-8/12/13	-779.00
Check	11/20/2013	6949	Washington County	2013 MBA Crime Policy Cancellation 8/12-9/01/13	-17.00
Check	11/20/2013	6950	Wayne County	2013 MBA Crime Policy Cancellation 8/12-9/23/13	-21.00
Check	11/20/2013	6951	Kerry Gibson	Mileage Reimbursement	-395.50
Check	11/20/2013	6952	Bruce Adams	Mileage Reimbursement	-122.00
Check	11/20/2013	6953	Brad Dee	Mileage Reimbursement	-395.50
Check	11/20/2013	6954	Alma Adams	Mileage Reimbursement	-82.49
Check	11/20/2013	6955	Bill Cox	Expense Reimbursement	-382.65
Check	11/20/2013	6956	Kathleen M. Liuzzi	Expense Reimbursement	-403.15
Check	11/20/2013	6957	Johnnie R. Miller	Expense Reimbursement	-138.00
Liability Check	11/20/2013	6958	Opticare of Utah	Invoice Number: 43121	-55.35
Bill Pmt -Check	11/20/2013	6959	Ballard Spahr	Prosecution Conference Speaker Sponsor	-472.74
Bill Pmt -Check	11/20/2013	6960	Les Olson Company	Invoice Number: EA489290	-87.81
Bill Pmt -Check	11/20/2013	6961	Office Depot	Invoice Number: 680961758001	-126.42
Bill Pmt -Check	11/20/2013	6962	Professional Yard Services	Invoice Number: 57355	-2,800.00
Bill Pmt -Check	11/20/2013	6963	Revco Leasing Company, LLC	Invoice Number: 342637	-435.91
Bill Pmt -Check	11/20/2013	6964	Whitney Advertising & Design, Inc.	Invoice Number: 17375	-37.00
Bill Pmt -Check	11/20/2013	6965	Office Depot	Invoice Number: 680961933001	-5.68
Check	11/27/2013	6966	PEHP-LTD	Coverage Period: NOV 2013	-216.62
Check	11/27/2013	6967	Kathleen M. Liuzzi	Expense Reimbursement	-411.06
Bill Pmt -Check	11/27/2013	6968	Arthur J. Gallagher & Co.	Invoice Number: 719259	-2,250.00
Bill Pmt -Check	11/27/2013	6969	Nielsen & Senior	Invoice Number: 23400	-3,735.85
Bill Pmt -Check	11/27/2013	6970	Paetec	Invoice Number: 6162044	-704.65
Check	12/05/2013	6971	Beaver County	2013 Dividend	-7,152.00
Check	12/05/2013	6972	Box Elder County	2013 Dividend	-4,561.00
Check	12/05/2013	6973	Carbon County	2013 Dividend	-500.00
Check	12/05/2013	6974	Daggett County	2013 Dividend	-500.00
Check	12/05/2013	6975	Davis County	2013 Dividend	-10,836.00
Check	12/05/2013	6976	Duchesne County	2013 Dividend	-2,616.00
Check	12/05/2013	6977	Emery County	2013 Dividend	-3,096.00
Check	12/05/2013	6978	Garfield County	2013 Dividend	-7,397.00
Check	12/05/2013	6979	Iron County	2013 Dividend	-5,303.00
Check	12/05/2013	6980	Juab County	2013 Dividend	-7,088.00
Check	12/05/2013	6981	Kane County	2013 Dividend	-2,534.00
Check	12/05/2013	6982	Millard County	2013 Dividend	-3,850.00
Check	12/05/2013	6983	Morgan County	2013 Dividend	-500.00
Check	12/05/2013	6984	Piute County	2013 Dividend	-1,392.00
Check	12/05/2013	6985	Rich County	2013 Dividend	-737.00
Check	12/05/2013	6986	San Juan County	2013 Dividend	-4,030.00
Check	12/05/2013	6987	Sanpete County	2013 Dividend	-1,868.00
Check	12/05/2013	6988	Sevier County	2013 Dividend	-2,892.00
Check	12/05/2013	6989	Uintah County	2013 Dividend	-11,127.00
Check	12/05/2013	6990	Wasatch County	2013 Dividend	-4,424.00
Check	12/05/2013	6991	Washington County	2013 Dividend	-6,812.00
Check	12/05/2013	6992	Wayne County	2013 Dividend	-1,613.00
Check	12/05/2013	6993	Weber County	2013 Dividend	-500.00
Liability Check	12/05/2013	6994	Public Employees Health Program	Policy Number 1076 (NOV)	-5,531.23
Bill Pmt -Check	12/05/2013	6995	Premiere Global Services	Invoice Number: 15008809	-272.77
Bill Pmt -Check	12/05/2013	6996	Western AgCredit	Invoice Number: 12-2013	-10,471.00
Bill Pmt -Check	12/05/2013	6997	Layne Gneiting	AMM Key Note Speaker	-1,000.00
Check	12/06/2013	6998	Layne Gneiting	AMM Key Note Fees	-432.39
Liability Check	12/18/2013	6999	Opticare of Utah	Invoice Number: 44016	-55.35
Check	12/18/2013	7000	Johnnie R. Miller	Expense Reimbursement	-60.46
Check	12/18/2013	7001	Korby M. Siggard	Expense Reimbursement	-240.19
Check	12/18/2013	7002	Sonya J. White	Expense Reimbursement	-138.00
Bill Pmt -Check	12/18/2013	7003	Arthur J. Gallagher & Co.	Invoice Number: 729647	-17,957.00
Bill Pmt -Check	12/18/2013	7004	Les Olson Company	Invoice Number: EA49321	-306.75
Bill Pmt -Check	12/18/2013	7005	Media One of Utah	Invoice Number: I00920468-11142013	-22.50
Bill Pmt -Check	12/18/2013	7006	Revco Leasing Company, LLC	Invoice Number: 345180	-435.91
Bill Pmt -Check	12/18/2013	7007	The Gathering Place	Event 12/05/13	-2,846.71
Bill Pmt -Check	12/18/2013	7008	Utah Association of Counties	Invoice Number: 21066	-7,310.00
Bill Pmt -Check	12/18/2013	7009	TCNS, Inc.	Invoice Number: 4715	-445.00
Total ML Expense					-208,885.84
TOTAL					-208,885.84



STANDING COMMITTEES

COMMITTEES of the BOARD

AUDIT

Karla Johnson, *Chair*, Kane County Clerk/Auditor
Bill Cox, Rich County Commissioner
Seth Oveson, Carbon County Clerk/Auditor
Mike Wilkins, Uintah County Clerk/Auditor

GOVERNANCE

Bruce Adams, *Chair*, San Juan County Commissioner
Alma Adams, Iron County Commissioner
Kerry Gibson, Weber County Commissioner
Bret Millburn, Davis County Commissioner
Alden Orme, Juab County Sheriff
Mike Wilkins, Uintah County Clerk/Auditor

NOMINATING

Jim Eardley, *Chair*, Washington County Commissioner
Alma Adams, Iron County Commissioner
Karla Johnson, Kane County Clerk/Auditor
Bret Millburn, Davis County Commissioner
Mike Wilkins, Uintah County Clerk/Auditor

PERSONNEL

Brad Dee, *Chair*, Weber County HR Director
Dave Blackwell, Emery County Attorney
Bill Cox, Rich County Commissioner

COMMITTEES of the MEMBERS

LAW ENFORCEMENT

Alden Orme, *Chair*, Juab County Sheriff
Cameron Noel, Beaver County Sheriff
James Cordova, Carbon County Sheriff
Robert Dekker, Millard County Sheriff

LITIGATION MANAGEMENT

David Blackwell, *Chair*, Emery County Attorney
Brock Belnap, Washington County Attorney
Jared Eldridge, Juab County Attorney
Dale Eyre, Sevier County Attorney
Doug Hogan, Tooele County Attorney
Bill McGuire, Davis County Deputy Attorney
Dave Wilson, Weber County Deputy Attorney

PERSONNEL

Brad Dee, *Chair*, Weber County HR Director
Pam Ayala, Tooele County Human Resources Director
Valeen Brown, Piute County Clerk/Auditor
Rhonda Gant, Kane County HR
Brandy Grace, Millard County Auditor
Crystal Holt, San Juan County HR/Personnel Director
Mary Huntington, Emery County Personnel
Peggy Madsen, Box Elder County Personnel Director
Joe McKea, Uintah County HR Director/Risk Manager
Camille Moore, Garfield County Clerk/Auditor
Leslie Bishop, Iron County Human Resources
Ilene Roth, Sanpete County Auditor
David Rowley, Wasatch County HR
Mike Seely, Juab County Administrator
Ryan Torgerson, Wayne County Clerk/Auditor
Steve Wall, Sevier County Clerk/Auditor
Sherrie Larsen, Washington County HR Supervisor

**ANNUAL NOTICE OF REGULAR MEETING SCHEDULE OF THE BOARD OF
TRUSTEES OF THE UTAH COUNTIES INDEMNITY POOL**

PUBLIC NOTICE is hereby given that the 2014 Annual Meeting schedule of the Board of Trustees of the Utah Counties Indemnity Pool is as follows:

Regular meetings of the Board of Trustees of the Utah Counties Indemnity Pool will be held on the dates, at the times and at the location of 10980 South Jordan Gateway, South Jordan, Utah or the specific city listed below unless otherwise changed by action of a quorum of the Board of Trustees of the Utah Counties Indemnity Pool.

TENTATIVE REGULAR MEETING DATES FOR 2014

January 16, 12:30 p.m.
February 20, 12:30 p.m.
March 20, 12:30 p.m.
April 18, 12:30 p.m. Salt Lake
May 15, 12:30 p.m., Springdale
June 6, 9:00 a.m., TBD
July 17, 12:30 p.m.
August 21, 12:30 p.m.
September 10, 9:00 a.m., St. George
October 16, 12:30 p.m.
November 13, 7:00 p.m., St. George
December 18, 12:30 p.m.

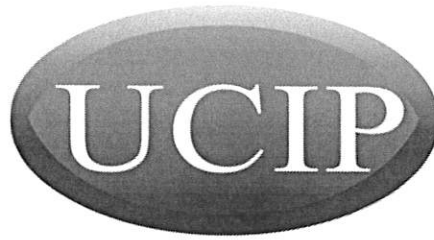
A regular meeting may be canceled without notice by action of a quorum of the Board of Trustees. When, because of unforeseen circumstances, it is necessary for the Board of Trustees to hold an emergency meeting to consider matters of an emergency or urgent nature, the best notice practicable shall be given. No such emergency meeting of the Board of Trustees shall be held unless an attempt has been made to notify all of the members of the Board of Trustees and there is a majority vote in the affirmative to hold the meeting.

All regular meetings of the Board of Trustees shall be open to the public unless closed by the Board of Trustees in the manner described in §52-4-4, Utah Code Annotated, 1953 as amended, and, for a purpose described in §52-4-5, Utah Code Annotated, 1953 as amended.

ADOPTED AND APPROVED THIS _____ DAY OF _____, 2013.

BOARD OF TRUSTEES,
UTAH COUNTIES INDEMNITY POOL

Bruce Adams, President



MEMORANDUM

To: UCIP Board of Trustees
From: Johnnie Miller
Date: 12/11/13
Re: Bylaws of the Sixth Amended Interlocal Agreement

The following changes to the UCIP Bylaws in order as they appear in the draft document are proposed for your consideration:

1. Section 4.7 has been modified to confirm the Member's obligation to designate a Risk Management Coordinator to act as the Member's primary contact with the Pool. Staff has always believed this to be an obligation of each member, but no requirement has been in place in the governing documents.
2. Article 8, Withdrawal and Termination, has been updated pursuant to the changes to the corresponding section of the Sixth Interlocal Agreement, and language has been added to clarify that withdrawal or termination from the Property/Liability program shall be considered termination of membership.
3. Article 9, Involuntary Termination of Membership has been modified to
 - a. Allow a Member notified by the Board of impending termination to request a hearing before the Board, rather than a hearing before the membership at a membership meeting.
 - b. Restrict a Board member from an affected Member from voting on the issue or being counted for purposes of determining a quorum or the number of votes required.
 - c. Clarify that loss of Member rights from involuntary termination are the same as if the termination was voluntary.
4. Article 15, Conflict of Interest of Defense Counsel has been modified to clarify that defense provided to Members by UCIP will be limited to only those attorneys listed on the UCIP Defense Attorney list as recommended by the Litigation Management Committee and approved by the Board.

I recommend the Board approve each of these changes to the Bylaws.

JRM/jrm

UTAH COUNTIES INDEMNITY POOL

PO Box 95730, South Jordan, UT 84095-0730
Phone (801)565-8500 ✉ Fax (801)568-0495 ✉ www.ucip.utah.gov

BYLAWS OF THE SIXTH AMENDED INTERLOCAL AGREEMENT OF THE UTAH COUNTIES INDEMNITY POOL

These Amended Bylaws are adopted by the Board of Trustees of the Utah Counties Indemnity Pool ("Pool") in accordance with the Interlocal Cooperation Agreement entered into by the Members of the Pool, each of which hereby agrees to abide by the terms and conditions of these Amended Bylaws and all actions taken pursuant hereto.

ARTICLE 1. Authority.

- 1.1 These Bylaws are amended pursuant to the provisions of the Amended Interlocal Cooperation Agreement.
- 1.2 These Bylaws may be amended and shall continue in effect until amended as provided herein.
- 1.3 The Pool shall have all powers necessary or desirable to achieve the purposes of the Pool as set forth in the Agreement and these Bylaws.

ARTICLE 2. Definitions.

As used in these Bylaws, the following terms shall have the meaning hereinafter set out:

- 2.1 **Agreement or Amended Agreement.** The Amended Interlocal Cooperation Agreement for Utah Counties Indemnity Pool.
- 2.2 **Board of Trustees or Board.** The Board of Trustees of the Utah Counties Indemnity Pool.
- 2.3 **Board Meeting.** A meeting of the Board of Trustees where a quorum is present and for which proper notice has been provided in accordance with Utah law.
- 2.4 **Bylaws or Amended Bylaws.** The Amended Bylaws of the Utah Counties Indemnity Pool.
- 2.5 **Code.** The Utah Code, including Utah Code Ann. Titles 11, 63G and 31A, as amended from time to time.
- 2.6 **County or Counties.** One or more of the twenty-nine counties of the State of Utah.
- 2.7 **Chief Executive Officer.** The person designated by the Board of Trustees as Chief Executive Officer of the Utah Counties Indemnity Pool.
- 2.8 **Member.** A county or county related entity that is a party to the Amended Interlocal Cooperation Agreement.

- 2.9 **Membership Meeting.** A meeting of the Members of the Utah Counties Indemnity Pool where a quorum is present and for which proper notice has been provided in accordance with the Agreement and Bylaws.
- 2.10 **Officer or Officers.** The President, Vice-President, or Secretary-Treasurer elected in accordance with these Amended Bylaws.
- 2.11 **Pool.** Utah Counties Indemnity Pool, an Interlocal entity.
- 2.12 **Representative.** The person designated pursuant to Article 4.57(b) to be a Member's official representative for the purposes of the Pool.
- 2.13 **Surplus.** The amount shown as Net Assets on the audited financial statements of the Pool.
- 2.14 **Trustee.** A natural person elected or appointed in accordance with the Agreement to a Trustee position on the Board.

ARTICLE 3. Purpose.

- 3.1 The Pool is formed, financed, organized, and shall operate in accordance with the Agreement and the provisions of these Bylaws.

ARTICLE 4. Members.

- 4.1 Membership in the Pool is limited to Utah counties and county related entities that properly enter into the Agreement.
- 4.2 Counties and county related entities, including former Members, may be admitted to the Pool after its formation only upon approval of the Board and subject to the conditions set out in the Agreement, these Bylaws and such additional conditions as the Board may from time to time require.
- 4.3 Member Counties may obtain coverage through UCIP for entities, other than Children's Justice Centers, affiliated with the Member county pursuant to the following:
- (a) With regard to entities such as special service districts and other political subdivisions, the Member county must have the following controls over the entity through the Member county's governing body:
 - i. The governing body of the Member County must approve and/or appoint 50% or more of the governing body of the entity; and
 - ii. The governing body of the Member county must appropriate 50% or more of the funding of the entity; and

- iii. The governing body of the Member County must have the authority to hire and terminate the employees of the entity.
- (b) With regard to special districts created for the purpose of passing through Mineral Lease Payments received by the State under the Mineral Lands Leasing Act (30 U.S.C., Section 191), and allocated to the county, individual counties that have created these special service districts may cover such districts through UCIP provided the following conditions are met:
 - i. The purpose of the special service district is to serve as a financial conveyance of the aforementioned mineral lease payments; and
 - ii. Funds conveyed through the special service district are expenses of the special district and are made by an operating department of the Member County with oversight exercised by the Member County's governing body.
- (c) County health departments and multi-county health departments are eligible for coverage, either through the Member County or as a separate, nonvoting member, provided the organization of the health department is established under Title 26A of the Utah Code.
- (d) A Member county may obtain liability coverage for Children's Justice Center Local Advisory Board members who do not serve due to public office upon the following conditions:
 - i. The Children's Justice Center is established under Chapter 5b of Title 67 of the Utah Code; and
 - ii. The Member county is the contracting public agency under 67-5b-104(e) of the Utah Code; and
 - iii. The Children's Justice Center Local Advisory Board member does not serve due to public office as provided for in 67-5b-105(1)(b) through (e); and
 - iv. The Children's Justice Center Bylaws authorize the Member county to remove any Board member who does not serve due to public office as provided for in 67-5b-105(1)(b) through (e) at any time and for any reason; and
 - v. The Member county has provided UCIP a copy of the duly adopted bylaws with the language specified in subsection (d)(iv), and UCIP has acknowledged receipt of the bylaws.

- (e) Coverage through UCIP may be obtained for non-profit corporations (those exempt from taxation under Internal Revenue Code 26 U.S.C. 501), municipalities or other political subdivisions, that contract to provide services to the Member county, subject to the following criteria being met:
 - i. The contract is for the benefit of, and is executed under the authority of the Member County; and
 - ii. The Member County is legally authorized to provide the service, function or facility which is the subject matter of the contract; and
 - iii. The Member County is obligated by the contract to provide insurance coverage to the other party to the contract; and
 - iv. A copy of the contract has been provided to the Pool.

4.4 Members shall be classified as one of the following member types:

- (a) Equity Member; and
- (b) Non-equity Member.

Equity members shall be included in the calculation of equity as described in the Agreement and these Bylaws. Non-equity Members shall not be included in calculations of, nor shall they have any ownership interest in, the member equity of the pool.

4.5 Members shall also be classified as either:

- (a) Voting; or
- (b) Non-voting members.

Members which are counties shall be voting members. Members which are special service districts, health departments, Children's Justice Centers or non-profits as described under 4.3.e. shall be non-voting members.

4.6 Members shall meet at least once annually. A Membership Meeting may be called by the Board or President pursuant to a procedure to be established by the Board, or upon written request executed by at least 30 percent of the Members.

- (a) Notice of any Membership Meeting shall be mailed to each Member at least 15 days in advance.
- (b) The President, Vice President, or Secretary-Treasurer of the Board shall preside at the Membership Meeting or the President's designee if no other Officer is present at the meeting.

- (c) A majority of the Members shall constitute a quorum to do business.
- (d) Proxy voting shall not be allowed.
- (e) Each Member shall be entitled to one vote on each issue before the membership at any Membership Meeting, to be cast by its representative or alternative representative if the representative is unable to vote. The representative and alternative representative shall be designated by the Member in accordance with Article 4.7(b) of the Bylaws.
- (f) The location of Membership Meetings will be as determined from time to time by the Board.

4.7 Members shall have the obligation to:

- (a) Pay promptly all contributions and other payments to the Pool at such times and in such amounts as shall be established in accordance with these Bylaws. Annual contributions are due on or before the first day of January of the applicable fund year. Members making payments, or portions thereof, postmarked after January 31st shall be charged interest calculated at 2% above the Federal Prime Rate.
- (b) Designate in writing a representative and one or more alternate representatives for the Membership Meetings. Each representative and alternate representative must be an elected or appointed officer or employee of a Member and must be appointed by majority vote of the governing body or by the county executive or county mayor of the Member to be the Member's official representative for the purposes of the Pool. An alternate representative may exercise all the powers of a representative during a Membership Meeting, in the absence of the representative.
- (c) Allow the Pool, its Chief Executive Officer, agents, contractors, employees and officers reasonable access to all facilities and records of the Member as required for the administration of the Pool and implementation of the Agreement, the Bylaws and policies of the Board.
- (d) Cooperate fully with the Pool's attorneys, its Chief Executive Officer, and any other agent, contractor, employee or officer of the Pool in activities relating to the purposes and powers of the Pool.
- (e) Provide information requested by the Pool, its Chief Executive Officer, and any other agent, contractor, employee or officer of the Pool, as reasonably required for the administration of the Pool.
- (f) Allow the Pool, and attorneys and others designated by the Pool, to represent the Member in the investigation, settlement and litigation of any claim within the scope of loss protection furnished by or through the Pool and also to deny coverage for any claims settled by a Member or for any monies paid by a Member

toward claims without the prior written approval of the Pool.

- (g) Follow the claims, loss reduction and prevention, and risk management policies and procedures established by the Board.
- (h) Report to the Pool, in the form and within the time required by the Board, all incidents or occurrences that could reasonably be expected to result in a covered claim to the Pool under the coverage agreement issued to the Member.
- (i) Report to the Pool, in the form and within the time required by the Board, the addition of new programs, facilities and exposures or the significant reduction or expansion of existing programs and facilities covered under the Coverage Addendum of these Bylaws.
- (j) Designate a Risk Management Coordinator who shall act as the Member's primary contact with the Pool.

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ARTICLE 5. Board of Trustees.

5.1 The Board shall:

- (a) Perform all duties required by Utah law, the Agreement, and these Bylaws.
- (b) Obtain and provide to Members at least annually an audit of the finances of the Pool performed by an independent certified public accountant.
- (c) Provide for at least quarterly financial statements to account for income, expenses, assets and liabilities of the Pool.
- (d) Provide at least annually for an actuarial review of the Pool.
- (e) Adopt a budget annually and report the budget to the Members.
- (f) Require that fidelity bonds or appropriate insurance, in an amount to be determined by the Board, be in effect for employees of the Pool, and every other person having access to moneys of the Pool.
- (g) Appoint an Audit Committee to review the financial statements, actuarial analysis, make recommendations to the Board on the financial affairs of the Pool, and make an annual report to the members regarding the financial affairs of the Pool.
- (h) Appoint a Nominating Committee to solicit nominations for available elected Trustees positions. Any elected official of a Member or any Trustee may nominate eligible persons to run for available elected Trustee positions. Nominations will be received at the Pool office no later than 30 days prior to the meeting at which the election is scheduled. The Pool will verify that each nominee is willing to serve if elected before forwarding the nominations to the Nominating Committee. The Nominating Committee shall review the

nominations and select by a majority vote not more than three names to be placed on the ballot for each available elected Trustee position. A person may not be nominated and placed on the ballot for more than one available elected Trustee position. In the event that no nominations are received for one or more available elected Trustee positions, the President of the Board of Trustees can solicit nominations from the floor on the following conditions:

- i. The nominee is eligible to serve as a Trustee in accordance with Section 5 of the Agreement; and
 - ii. The nominee, if present, expresses a willingness to serve, or, if not present, the Pool has verified that the nominee has expressed a willingness to serve.
- (i) Adopt and maintain an investment policy as an addendum to these bylaws to state the manner in which funds of the Pool may be invested.
- (j) Adopt and maintain a Coverage Addendum as an addendum to these bylaws to state the manner in which Members will be indemnified from the assets of the Pool.
- (k) Exercise their responsibility to the Pool and Member counties in the following way:
- i. First, to the mission of the Pool, to maintain financial and managerial integrity, and to serve all counties fairly;
 - ii. Second, to express the needs and concerns of the counties that Board Member represents.

- 5.2 Members of the Board of Trustees will be reimbursed for reasonable and approved expenses incurred in attending Board meetings and in otherwise carrying out their responsibilities. UCIP will reimburse Trustees for in-state travel by private vehicle at the rate allowed by the Internal Revenue Service at the time of travel, as well as for lodging and meals at actual cost, within the guidelines for travel and expense reimbursement adopted by the State of Utah Department of Finance. For Trustees attending out-of-state conferences and business meetings as approved by the Board UCIP will pay directly the registration, airfare and lodging expenses for the dates of the conference or meeting and up to two travel days for Trustees arranging travel through the UCIP office. Trustees will be paid per diem for out-of-state meals and incidental expenses for each day of the training and travel day(s) pursuant to the rates published by the Office of Government Policy, General Services Administration. Trustees will also be compensated for necessary transportation expenses between the airport and lodging. Receipts for airfare, lodging and necessary transportation, paid by the Trustee, are required for reimbursement. A written statement by the Trustee will be required in place of a lost receipt. Reimbursement is made based on the least expensive reasonable method of travel. Expenses for spouses who accompany Trustees to UCIP meetings or to approved out-of-state training are the responsibility of the Trustee. UCIP will invoice Trustees for any spouse expenses paid by UCIP. However, there will be no charge for spouses

attending business meals hosted by the Chief Executive Officer. Requests for reimbursement shall be submitted within 60 days of completion of a trip.

ARTICLE 6. Officers, Meetings, Procedures.

- 6.1 The principal offices of the Board shall be: president, vice-president and secretary-treasurer. The principal offices shall be held by three separate natural persons. Officers shall be elected by and from among the Trustees, at the first Board meeting following each annual meeting of the Members. The Board shall establish the powers and duties of each officer, consistent with these Bylaws, and the Agreement. All Members of the Board shall have full voting rights. The president shall preside over meetings of the Board and of the Members and shall perform such other duties as may be prescribed from time to time by the Board and the Members. The vice-president shall exercise the powers of the president in the absence of the president, and the secretary-treasurer shall exercise the powers of the president in the absence of the president and vice-president.
- 6.2 The Board shall fix the date, time and place of regular meetings that are scheduled in advance over the course of a year. Meetings may be called by the president, or by any five Members of the Board, by written notice mailed at least ten days in advance to all Trustees or by unanimously executed waiver of notice. Emergency meetings of the Board may be held to consider matters of an emergency or urgent nature, after an attempt has been made to notify all Board Members and a majority votes in the affirmative to hold the meeting. Notice, including public notice, of all meetings and the agenda shall comply with applicable laws of the State of Utah.
- 6.3 Seven Trustees shall constitute a quorum to do business. All actions of the Board shall require a quorum and a majority vote of the Trustees present, except where a different vote is required by these Bylaws.
- 6.4 The Board shall adopt such policies and procedures as it deems necessary or desirable for the conduct of its business.
- 6.5 Any or all Trustees may participate in any meeting of the Board by means of a conference telephone or similar communications equipment by which all persons participating in the meeting can hear each other at the same time. Participation by such means shall constitute presence at the meeting.
- 6.6 The Board shall establish its own rules of order that are not in conflict with the laws of the State of Utah, the Agreement, and other specific provisions of these Bylaws.
- 6.7 A Trustee's position may be declared vacant by official action of the Board of Trustees when the Trustee has accumulated two consecutive unexcused absences at duly called meetings for which the Trustee has received notification. Excused absences will be granted only with advance notice received by the UCIP offices or a member of the Board of Trustees prior to the Board meeting and approved by formal action of the Board.

ARTICLE 7. Financing.

- 7.1 All monies of the Pool, and earnings thereon, shall be held in the name of and for the use and benefit of the Pool.
- 7.2 The Board shall establish Member contributions pursuant to guidelines established by the Board from time to time.
- 7.3 Surplus of the Pool shall be attributable to the Members as equity. Equity in the Pool shall be used to satisfy the surplus requirements established by the Board and any applicable regulation, and next to repay any outstanding debentures after which refund of surplus in the form of dividends to Members may be considered. Any refund of surplus moneys shall be consistent with policies adopted by the Board.
- 7.4 Investments of monies of the Pool shall be limited to those investments permitted by the State Money Management Act, Utah Code Ann. §51-7-1 et seq. (2002), as amended.
- 7.5 Member equities in UCIP shall be calculated as follows:
- (a) The ratio of each member's contributions to the total contributions shall be computed for each fund year.
 - (b) The member's contribution ratio shall be multiplied by the total surplus, (less any borrowed surplus), attributable to a fund year as stated in the most recent monthly financial statement. A member's total equity will be the sum of the yearly amounts for each fund year for which that member was a participating member in UCIP.
 - (c) In the event that the surplus amount is a negative number, a member's equity will be decreased using the same method of calculation as above.
 - (d) In the event of a termination of membership, the terminated member shall lose and have no claim to any equity in UCIP. The equity formerly attributed to that member for each fund year shall be allocated to the remaining counties who were members during that fund year.
 - (e) The Board of Trustees in its sole discretion shall determine if and when equity is distributed.

ARTICLE 8. Withdrawal and Termination.

- 8.1 Any Member may withdraw from a ~~line of coverage~~joint purchase program, or terminate its membership in the Pool in accordance with the Agreement.

~~8.2 Lines of coverage consist of the following:~~

~~(a) Property/Liability; and~~

~~Workers Compensation.~~

~~(b) 8.2 Withdrawal or termination from the Property/Liability program shall be considered~~

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termination of membership.

ARTICLE 9. Involuntary Termination of Membership.

- 9.1 The Board shall terminate a Member that fails to pay a contribution due the Pool within sixty days of the due date, unless time for payment is extended by the Board and payment is made within the extended period. A notice of failure to pay a contribution due the Pool shall be mailed to the Member at least 30 days prior to the date of termination. Coverage and payment of claims shall terminate effective the first date for which the unpaid contribution was calculated for. If the unpaid contribution is additional contribution resulting from an audit, coverage and payment of claims shall terminate effective on a date calculated on a pro-rata basis of the unpaid contribution to the contribution paid for the audit period. A termination of membership under this paragraph shall not be subject to the provisions of Article 9.2.
- 9.2 Any membership in the Pool may be terminated by the Board or by a three-fourths vote of the Members for failure of the Member to carry out any other obligation of the Member, subject to the following:
- (a) The Member shall receive written notice from the Board of the alleged failure and shall be given not less than 30 days in which to correct the alleged failure, along with notice that termination of membership could result if the failure is not corrected.
 - (b) The Member may request a hearing before the ~~Members at a membership meeting~~Board prior to the termination. The request shall be made in writing to the Board at least ten business days before the end of the period given by the Board to correct the alleged failure. The Board shall present the case for termination of membership at the hearing and the affected Member may present its case. ~~A Board Member of T~~the affected Member shall not be counted in determining a quorum or the number of votes required, nor shall the Board Member representative of such Member be entitled to vote on the termination.
 - (c) If a request for hearing is not received pursuant to Article 9.2(b) of the Bylaws and if the failure is not corrected within the time required by the Board's notice, or any extension of such time as the Board may grant, the Board may terminate the membership. ~~The Member may request a hearing before the Board on the proposed termination in lieu of a hearing before the Members. The request shall be made in writing and received by the Board at least five days before the end of the period given by the Board to correct the alleged failure, and shall be granted if so made.~~
 - (d) The Board shall provide the Member at least ten days prior written notice of the time and place of any requested hearing, and the proposed termination of membership may not take effect until such time after the conclusion of any hearing as the Board ~~or Members, as applicable,~~ may set.
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9.3 Termination of membership shall be in addition to any other remedy that may exist.

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- 9.4 A Member shall lose all voting rights and any claim of title or interest to any asset of the Pool upon involuntary termination of its membership to the same extent as if the termination were voluntary. The coverage and payment of claims after the effective date of a Member's ~~withdrawal or~~ termination shall be consistent with the Agreement and these Bylaws.

ARTICLE 10. Dissolution and Disposition of Property.

- 10.1 The Pool may be dissolved by the Members as provided in the Agreement. In the event of voluntary dissolution of the Pool, the assets of the Pool not used or needed for the purposes of the Pool, including its contractual obligations, shall be distributed, as determined by the Board, only to Utah counties which are Members of the Pool at the time of dissolution. The Members of the Pool at the time the vote is held to dissolve the Pool shall continue to be considered Members of the Pool until the final disposition of property and dissolution of the Pool is complete.
- 10.2 Upon partial or complete dissolution of the Pool by the Members in accordance with the Agreement, the Trustees shall determine, consistent with these Bylaws, all other matters relating to the disposition of property and dissolution of the Pool by a two-thirds vote of all Trustees.
- 10.3 The Board shall serve as trustees for the disposition of property or funds, payment of obligations, dissolution and winding up of the affairs of the Pool. Any vacancy in the position of an elected Trustee after disposition of the Pool has begun may be filled by majority vote of the remaining Trustees until the next annual meeting of the Members, at which time the Members shall elect a person to fill the vacancy for the unexpired term.

ARTICLE 11. Liability of Board, Officers and Employees.

- 11.1 It is the intent of the Pool to provide the broadest possible immunity from personal liability to each Trustee, officer, and employee of the Pool allowed by applicable laws of the State of Utah including, but not limited to, the Governmental Immunity Act, the Corporations Code and the Insurance Code, as amended from time to time. The Pool shall defend and indemnify the Trustees, officers and employees of the Pool against any and all expense, including attorney fees and liability expenses, sustained by them or any of them in connection with any suit or suits which may be brought against them involving or pertaining to any of their acts or duties to the fullest extent allowed by the laws of the State of Utah. The Pool shall purchase liability or other appropriate insurance providing coverage for the Trustees, officers and employees of the Pool. Nothing herein shall be deemed to prevent compromises of any litigation where the compromise is deemed advisable in order to prevent greater expense or cost in the defense or prosecution of such litigation.

ARTICLE 12. Arbitration.

- 12.1 To the extent permitted by any applicable reinsurance or excess insurance, if the Board or its authorized representative and a Member disagree on whether a loss is covered through the Pool or on the amount of a covered loss, the Board or its authorized representative or the

Member may request that the disagreement be submitted to binding arbitration as follows:

- (a) Unless otherwise agreed by the Board or its authorized representative and the Member, three persons shall be selected for the arbitration panel, one by the Board or its authorized representative, one by the Member, and one by the two so selected to act as umpire to decide the items upon which the other two disagree. If the two so selected fail for fifteen days to agree upon the umpire, the dispute of coverage shall be submitted to the American Arbitration Association for arbitration pursuant to their standard rules and regulations.
- (b) The decision of the panel shall be binding on the Board or its authorized representative and the Member.
- (c) The Pool shall pay the fees and expenses of the panelist selected by the Board or its authorized representative, the Member shall pay the fees and expenses of the panelist selected by it, and the fees and expenses of the umpire shall be shared equally by the Pool and the Member.

ARTICLE 13. General Provisions.

- 13.1 The laws of Utah shall govern the interpretation and performance of these Bylaws.
- 13.2 In the event that any portion of these Bylaws is held invalid or unenforceable, such invalidity or unenforceability shall not affect other portions, and these Bylaws are expressly declared to be severable.
- 13.3 These Bylaws do not relieve any Member of any obligation or responsibility imposed upon it by law except to the extent that actual and timely performance thereof by the Pool satisfies such obligation or responsibility.
- 13.4 All moneys received by the Pool are public funds, including earned interest, derived from its Members, which are counties and county related entities within the State of Utah.
- 13.5 It is the intention of the Members that the Pool and any income of the Pool not be subject to taxation. The Board and the Members shall cooperate in such respects, including amending these Bylaws, as reasonably necessary to establish and maintain the non-taxable status of the Pool.
- 13.6 Except as permitted in these Bylaws, the Agreement and amendments thereto, neither the Board nor any other person or entity is authorized to incur liabilities or obligations or enter into contracts on behalf of the Members.
- 13.7 In the event of the payment of any loss by the Pool under this Agreement, the Pool shall be subrogated to the extent of such payments to all the rights of the Member against any other person or other entity legally responsible for damages for such loss, and in such event the Member agrees to render all reasonable assistance to effect recovery.

ARTICLE 14. Conflict of Interest and Disclosure.

- 14.1 Board Members and Chief Executive Officer shall not request, receive, or accept a gift or loan for themselves or another if:
- (a) It tends to influence the Board Members or Chief Executive Officer in the discharge of his or her official acts as a Board Member or Chief Executive Officer; or
 - (b) She/he within two years has been involved in any official act directly affecting the donor or lender or knows that he/she will be involved in any official act directly affecting the donor or lender in connection with his or her membership on the Board or as the Chief Executive Officer.
- 14.2 The prohibition set forth in Section 1 above shall not apply to:
- (a) An occasional nonpecuniary gift, insignificant in value; or
 - (b) An award publicly presented in recognition of public service; or
 - (c) A commercially reasonable loan made in the ordinary course of business by an institution authorized by the laws of the state to engage in the business of making loans; or
 - (d) A political campaign contribution, provided that such gift or loan is actually used in a political campaign and is subject to Utah law regarding such gift or loans.
- 14.3 Board Members shall disqualify themselves from participating in any official action of the Board that affects a business in which that Board Member has a financial interest as defined in Sections 67-16-8 and 67-16-9 Utah Code Annotated 1953 as amended.
- 14.4 Board Members shall not acquire a financial interest at a time when they believe or have reason to believe that it will be directly affected by their official action on the Board.
- 14.5 Board Members and the Chief Executive Officer shall not use or divulge to any person confidential information acquired by virtue of their membership on, or participation with, the Board for their or another's private gain. Confidential information for the purpose of this paragraph shall be defined as all information disclosed or discussed in any meeting of the Board which is confidential under law, statute or practice and which is otherwise not available to the public.
- 14.6 The Chief Executive Officer of the Pool and each Board Member shall complete a disclosure form provided by the Pool at the first meeting of the Board during each fund year. That completed form shall affirm the person's awareness of this bylaw requirement and either state that no described conflicts exist, or make all required disclosures.
- 14.7 The information on the disclosures, except for the valuations attributed to the reported

interests, shall be made available by the Secretary of the Board for inspection by any UCIP Member county representative. The valuation shall be confidential for all purposes except for proceedings for violation of the disclosure requirement of these bylaws.

ARTICLE 15. Conflict of Interest of Defense Counsel.

15.1 Defense provided to Members by the Pool under the Bylaws Coverage Addendum shall be provided by attorneys listed on the UCIP Defense Attorney list recommended by the Litigation Management Committee and approved by the Board of Trustees.

~~15.1~~15.2 Attorneys listed on the UCIP Defense Attorney list shall not represent any plaintiff in any civil action in which any defendant is a UCIP Member.

~~15.2~~15.3 Attorneys employed by, or associated with law firms listed on the UCIP Defense Attorney List shall not represent any party in a civil action adverse to any person or entity covered by UCIP.

~~15.3~~15.4 Attorneys employed by, or associated with, law firms listed on the UCIP Defense Attorney List shall not represent any defendant in a criminal action prosecuted by the County Attorney's Office of any Member County.

~~15.4~~15.5 Conflicts as described above may be waived only after full disclosure to, and written agreement of, the involved Member and UCIP.

Dated this _____ day of _____, 2013.

By: _____

Print Name: _____

Title: President

ATTEST:

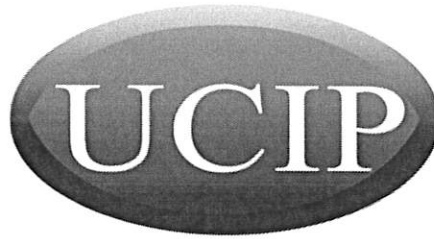
By: _____

Print Name: _____

Title: Secretary-Treasurer

Date: _____

Form
numbe



MEMORANDUM

To: UCIP Board of Trustees
From: Johnnie Miller
Date: 12/12/13
Re: Proposed Coverage Addendum Changes

The following changes to the Bylaws Coverage Addendum are being proposed for your consideration:

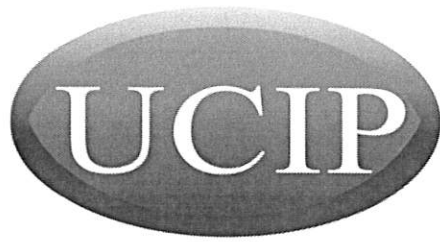
1. References to endorsements throughout the document have been changed to name the endorsement, rather than referring to endorsement numbers. Endorsements have been modified to simply have a name, rather than a name and a number, for the endorsement. This change is recommended as it will reduce confusion related to what endorsement is being referenced.
2. The Definitions, Exclusions and Limits of Coverage Sections of the General Liability Part have been modified to limit liability claims for Property Damage arising from Land Subsidence to \$3,000,000. This has been done to concur with reinsurance limits.
3. The Definitions, Exclusions and Limits of Coverage Sections of the General Liability Part have been modified to limit liability claims for Bodily Injury, Personal Injury, and Property Damage arising from Failure of Dams to \$3,000,000. This has been done to concur with reinsurance limits.
4. The Exclusion of Loss To and Loss Of Use of Data, Computer Hardware and Systems (Random Attack, Hacking Event or Computer Virus) Endorsement has been deleted to avoid conflicts with the Electronic Data Exclusion and the Cyber Liability endorsements.

I recommend the Board approve these changes to the Bylaws Coverage Addendum to be effective January 1, 2014.

JRM/jrm

UTAH COUNTIES INDEMNITY POOL

PO Box 95730, South Jordan, UT 84095-0730
Phone (801)565-8500 ☎ Fax (801)568-0495 ☎ www.ucip.utah.gov



MEMORANDUM

To: Board of Trustees
From: Johnnie Miller
Date: December 13, 2013
Re: Non County Membership

In response to continued questions regarding eligibility of non-county members in the Pool, I recently reviewed the Members section of the UCIP Bylaws and tried to discern the intent of the restrictions laid out for different types of entities. I believe the current language could be liberally interpreted to allow for many more entities to secure coverage with UCIP either as a part of the County's membership, or as a separate member of the Pool.

I believe it is in our best interest to review this section of the Bylaws very carefully and to make revision (if necessary) to clarify the entities that are eligible for coverage with the Pool.

If the Board feels any changes should be made, I would recommend we identify the different types of entities that are eligible to be a member of an interlocal agency under the statute, and then sort each entity type into one of three categories:

1. Entities that can be covered as part of a member county;
2. Entities that can be a separate member of the Pool; and
3. Those entities that are not eligible for coverage or membership with the Pool.

In the time available for research in preparation for this discussion I have identified the following entities that should be reviewed, with initial thoughts on their classification:

Covered as part of County

Children's Justice
County Health Departments
District's under County control
Mineral Lease pass through agencies
Other Authorities
Other Commissions or Advisory Councils

Separate UCIP Member

Health Districts
Interlocal agencies
Local Districts

- Cemetery
- Drainage
- Fire
- Improvement
- Irrigation
- Metro Water

- Mosquito Abatement
- Public Transit
- Service Area
- Water Conservancy
- Recreation (Park)

Not Eligible

City
School District
Utilities

Undetermined

Nonprofits receiving funding unavailable to counties that provide service to county
Nonprofit entities operating events that are beneficial to the county (fair, rodeo...)
Task Forces and similar multi-agency entities
Economic Development

I would like direction from the Board on this issue in order to draft proposed revisions to the Member section of the Bylaws to clarify eligibility of non-county entities for coverage or membership in the Pool.

JRM/jrm

UTAH COUNTIES INDEMNITY POOL

PO Box 95730, South Jordan, UT 84095-0730
Phone (801)565-8500 ☎ Fax (801)568-0495 ☎ www.ucip.utah.gov

AFFIDAVIT OF BRUCE ADAMS

STATE OF UTAH)
 :SS
COUNTY OF SALT LAKE)

Bruce Adams, being duly sworn upon oath, deposes and says:

1. That the affiant has personal knowledge of the matters hereinafter referred to in this Affidavit.
2. That the Affiant, on or about the 19 day of December, 2013, presided over a meeting of the Utah Counties Indemnity Pool Board of Trustees, an open and public meeting within the provisions of Chapter 4, Title 52, Utah Code Annotated, 1953, as amended.
3. That a quorum of the Utah Counties Indemnity Pool Board of Trustees was present and at least two-thirds of the members present, voted to close the meeting pursuant to the provisions of Section 52-4-4, Utah Code Annotated, 1953, as amended, for the purpose of discussing the character, professional competence, or physical or mental health of an individual.
4. That the affiant was present throughout the meeting and, pursuant to the provisions of Section 52-4-7.5, the affiant does hereby affirm that the sole purpose for closing the meeting was to discuss the character, professional competence, or physical or mental health of an individual or individuals.

FURTHER, Affiant saith not.

DATED this 19 day of December, 2013.

Bruce Adams

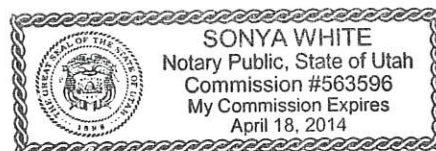
BRUCE ADAMS, President
Utah Counties Indemnity Pool

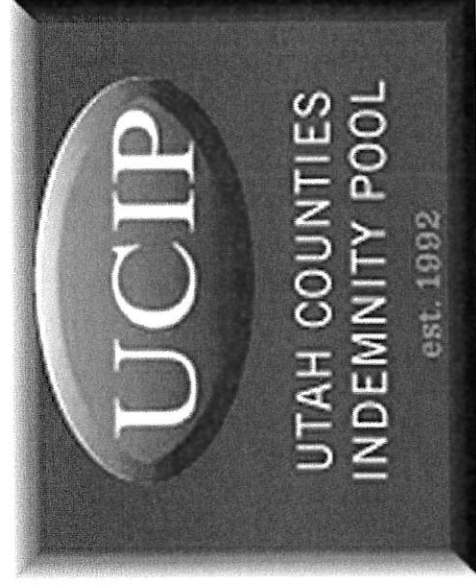
On the 19 day of December 2013, personally appeared before me Bruce Adams, who, after being by me duly sworn, deposed and said that the information contained in the above and foregoing Affidavit is true and correct.

Sonya White

NOTARY PUBLIC

My Commission Expires: 4/18/2014





Board of Trustees Meeting

December 19, 2013

UTAH COUNTIES INDEMNITY POOL

	Approved 2013 Budget	Proposed 2014 Budget
Revenue		
Contributions	5,085,654	4,590,929
Investment Income	105,000	105,000
Program Management Fees	3,000	3,000
Conferences	15,000	15,000
Total Income	<u>5,208,654</u>	<u>4,713,929</u>
Underwriting Expense		
Losses and Loss Adjustment Expenses	2,329,592	3,335,158
Reinsurance Expense	1,565,980	1,580,000
Total Underwriting Expenses	<u>3,895,572</u>	<u>4,915,158</u>
Administrative Expense		
Board of Trustees	40,000	40,000
Depreciation	15,000	15,000
Loss Control	50,000	45,000
Marketing	16,000	14,000
Office Operations	210,000	200,000
Professional Services	215,254	150,000
Staff	675,000	675,000
Total Administrative Expenses	<u>1,221,254</u>	<u>1,139,000</u>
Dividend Expense		
Experience	20,511	-
Equity	71,317	-
Total Dividends Expense	<u>91,828</u>	<u>-</u>
Total Operating Expense	<u>5,208,654</u>	<u>6,054,158</u>
Change in Net Position	<u>\$ -</u>	<u>\$ (1,340,229)</u>

UCIP

2014 Meeting Dates

January 16, 12:30 p.m.
February 20, 12:30 p.m.
March 20, 12:30 p.m.
April 18, 12:30 p.m. Salt Lake
May 15, 12:30 p.m., Springdale
June 6, 9:00 a.m., TBD
July 17, 12:30 p.m.
August 21, 12:30 p.m.
September 10, 9:00 a.m., St. George
October 16, 12:30 p.m.
November 13, 7:00 p.m., St. George
December 18, 12:30 p.m.

County Calendar

January						
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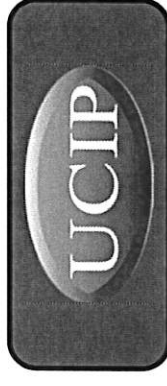
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Bylaws Amendments

- Designation of Risk Management Coordinator
- Withdrawal from P/C program is termination
- Involuntary Termination:
 - Hearing before Board, not Membership
 - Affected Board Members don't vote
 - Involuntary termination terms same as voluntary
- Only approved defense counsel



Coverage Addendum Amendments

- Endorsements named, not numbered
- Exclusion of Loss to and Loss Of Use of Data endorsement deleted
- Limited Property Damage Liability for Land Subsidence to \$3,000,000
- Limited Liability arising from failure of Dams to \$3,000,000



Conflict of Interest Disclosure

- Receipt of gift or loan that tends to influence the discharge of official acts (over \$50)
- Financial interest in a business affected by UCIP
- Use or divulge confidential information for personal or private gain



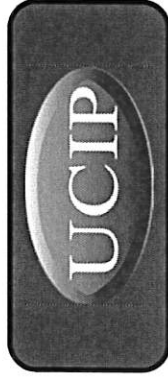
Board Calendar

- UCIP Board Meeting – January 16, UCIP
- UCIP Board Meeting – February 20, UCIP
- **AGRiP – March 9-12, San Francisco, CA**
- UCIP Board Meeting – March 20, UCIP
- UCIP Board Meeting – April 18, Salt Lake
- **Personnel Workshop – May 14-15, Springdale**
- UCIP Board Meeting – May 15, Springdale
- **UCIP Strategic Planning – June 4-6**



CEO Report

- WCF Report
- CRL Report
- URMMA Meetings
- Cache County Meetings
- Loss Control Program Report
- Western Ag Lease – 2 Office Space Change



PRELIMINARY 2014 CALENDAR OF EVENTS

JAN 9 – UCIP Litigation Committee
 JAN 16 – UCIP Board of Trustees
 JAN 17 – UAC Affiliate Legislative
 JAN 23 – UAC Board of Directors
 JAN 25 – Utah Association of Fairs & Events

FEB 5 – Facilities Management
 FEB 20 – UAC Legislature Day
 FEB 20 – UCIP Board of Trustees

MAR 1-5 – NACo Legislative Conference
 MAR 5-6 – UCIP Planning & Zoning
 MAR 9-12 – AGRIP Governance
 MAR 20 – UCIP Board of Trustees

APR 2 – UCIP Fair & Events
 APR 15 – UCIP Risk Coordinators
 APR 16-18 – UAC Management
 APR 17 – Great Utah Shakeout
 APR 18 – UCIP Board of Trustees

MAY 5-9 – CRL Board of Directors
 MAY 14-15 – UCIP Personnel
 MAY 15 – UCIP Board of Trustees
 MAY 21-23 – NACo WIR

JUN 4-6 – UCIP Board Strategic Planning
 JUN 6 – UCIP Board of Trustees

JUL 11-14 – NACo Annual
 JUL 17 – UCIP Board of Trustees

AUG 21 – UCIP Board of Trustees

SEP 10 – UCIP Board of Trustees
 SEP 10-11 – Risk Management
 SEP 22-24 – Utah Sheriffs Association
 SEP 24-26 – USACCC

OCT 16 – UCIP Board of Trustees

NOV 12-14 – UAC Annual
 NOV 12 – UAC Board of Trustees
 NOV 13 – UCIP Board of Trustees

DEC 18 – UCIP Board of Trustees

January						
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AGRiP 2014 SPRING GOVERNANCE & LEADERSHIP CONFERENCE:

Preliminary Schedule At A Glance

SUNDAY, MARCH 9

6:00 PM–8:00 PM: Opening Reception

MONDAY, MARCH 10

9:00 AM–10:00 AM: Opening Keynote Robert Reich: Politics, the Economy and the Slow Recovery

10:30 AM–12:00 PM: Concurrent sessions including Jurassic Parliament and Executive Performance Reviews and Compensation

12:00 PM–1:30 PM: Lunch and AGRiP Annual Membership Meeting

1:30 PM–5:00 PM: Concurrent tracks including Cyber Risk, more Jurassic Parliament, and the Pooling Basics 2.0 Capstone Experience

TUESDAY, MARCH 11

9:00 AM–10:00 AM: Keynote Matt Hansen: Bringing Value Through Risk Leadership: Are You Ready to Grow?

10:30 AM–12:00 PM: Concurrent sessions addressing the different governance challenges facing different pool operational models: association employee managed, vendor managed, or employed staff managed

12:00 PM–1:30 PM: Lunch and AGRiP Excellence Awards

1:30 PM–5:00 PM: Concurrent sessions including Measuring the Value of Wellness Programs, Surplus Management and E&O and D&O for Pools

WEDNESDAY, MARCH 12

9:00 AM–10:30 AM: Separate Facilitated Roundtables addressing emerging issues for pools serving schools, counties, towns, and special districts

10:30 AM–11:30 AM: The ACA: Impact of Exchanges on Public Entities

ROBERT REICH



You don't want to miss this opportunity to see one of the world's leading thinkers about work and the economy, Robert B. Reich. Now Chancellor's Professor of Public Policy at the University of California at Berkeley, Reich has served under three national administrations, most recently as Secretary of Labor under Bill Clinton. In 2008, *TIME* magazine named him one of the ten most successful cabinet secretaries of the past century. Professor Reich is the author of 14 books, as well as a nationally-syndicated column, and writes frequently for *The Wall Street Journal*, *The New York Times* and *The Financial Times*. His contributions are also heard regularly on public radio and various television programs. In late 2003, Reich was awarded the prestigious Václav Havel prize, in Prague, for his original contributions to economic thinking, and, in 2008, *The Wall Street Journal* named him one of the nation's top ten thought leaders.

MATT HANSEN



Discover the challenges of risk management in a city as complex as San Francisco with Matt Hansen, Director of the Risk Management Division for the City and County of San Francisco. Matt also serves on the US Technical Advisory Group for ISO 31000, as well as a Director on the Boards of the Public Risk Management Association (PRIMA) and the Public Entity Risk Institute (PERI). His talk is designed to provide useful perspectives to pooling leaders addressing the complex risk management challenges of their members.

ANN MACFARLANE

Back by popular demand! Ann developed Jurassic Parliament to help non-profits and associations improve the effectiveness and productivity of their board meetings. Through a variety of entertaining and interactive sessions, she will bring insights to everything from Robert's Rules of Order to leadership through neuroscience.

As always, AGRiP thanks our QEI Patrons for making these excellent educational opportunities available. To see a full listing of our QEI Patrons, please visit [http://www.agrip.org/AboutUs/QualityEducationInitiative\(QEI\)Patrons.aspx](http://www.agrip.org/AboutUs/QualityEducationInitiative(QEI)Patrons.aspx).

Visit www.agrip.org for more information

ZIONS® Wealth Advisors

ACCOUNT SUMMARY

UCIP

Account #8913870

From 11/01/2013 Through 11/30/2013

ACCOUNT SUMMARY (COST):

BEGINNING BALANCE:	2,044,367.70
DEPOSITS IN THE PERIOD:	-
WITHDRAWALS IN THE PERIOD:	-
REALIZED GAIN/LOSS:	-
GROSS INCOME:	890.47
MANAGEMENT FEE (0.137%):	(230.33)
ENDING BALANCE:	2,045,027.84

PERFORMANCE SUMMARY

INTEREST EARNED:	2,198.88
AMORTIZATION/ACCRETION (Month to Date):	31.10
REALIZED GAIN/LOSS:	-
GROSS EARNINGS:	2,229.98
MANAGEMENT FEE (0.137%):	(230.33)
NET EARNINGS:	1,999.65
AVERAGE DAILY BALANCE:	2,049,488.40
GROSS EARNINGS RATE: (360-day yield)	1.3057%
NET EARNINGS RATE: (360-day yield)	1.1708%

- * Performance calculated using trade-date accounting.
- * Management fee is charged on first day of following month, then back-dated to reflect the charged fee for the month in which it was earned. Funds invested in PTIF are not charged management fees.
- * This summary is provided as a courtesy and for informational purposes only. It should not be used for tax purposes. Clients should refer to their custodial statement as the official account documentation.
- * Please note that amortization and accretion makes up a portion of the Gross Earnings. Amortization and accretion is expense / income that is received from buying securities at a premium / discount (i.e., commercial paper).
- * Contango Capital Advisors is a registered investment adviser and a non-bank affiliate of Zions Bank and a non-bank subsidiary of Zions Bancorporation. In Utah and Idaho, Contango operates under the name Zions Wealth Advisors. Some representatives of Zions Wealth Advisors are also registered representatives of Zions Direct, which is a member of FINRA/SIPC and a non-bank subsidiary of Zions Bank. Investment products and services are not insured by the FDIC or any federal or state governmental agency, are not deposits or other obligations of, or guaranteed by, Zions Bank, Zions Bancorporation or its affiliates, and may be subject to investment risks, including the possible loss of principal value or amount invested.

